

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Crystal Persaud ~~FILED~~ X
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ FEB 01 2014 ★

Case No. 13-cv-3757(ADS)

Walmart Stores, Inc. LONG ISLAND OFFICE

X

AGREED ORDER OF DISMISSAL *without prejudice*

The parties hereby agree that this case has been settled and that all issues and controversies have been resolved to their mutual satisfaction. The parties request the Court to retain jurisdiction to enforce the terms of their settlement agreement under the authority of *Kokkonen v. Guardian Life Insurance Company of America*, 511 U.S. 375, 381-82 (1994).

IT IS HEREBY ORDERED:

- ~~1. The parties shall comply with the terms of their settlement agreement entered into on~~ 2/1/14
- ~~2. By consent of the parties, the Court shall retain jurisdiction for the purpose of enforcing the terms of the settlement agreement through~~ 2/1/14
3. Except as provided for in paragraphs 1 and 2 above, this case is dismissed without prejudice. Each party shall bear its own attorney's fees and costs.

Dated: 2/1/14

CASE CLOSED.

ENTER:
/s/ Arthur D. Spatt

Arthur D. Spatt
United States District Judge, **ARTHUR D. SPATT**

AGREED TO:
Attorney for Plaintiff(s):

AGREED TO:
Attorney for Defendant(s):

to be reinstated if the settlement is not consummated.

X STEVEN MOSER, FOR PLAINTIFF

/ Donald Livingston, Defendants